

Iron Horse Ranch, LLC
11204 N. Bar 21 Dr.
Glenns Ferry, Idaho 83623

April 23, 2017

RECEIVED
MAY 01 2017
DEPARTMENT OF
WATER RESOURCES

Charles L. Honsinger
Honsinger Law, PLLC
P.O. Box 517
Boise, Idaho 83701

Re: Mr. Honsinger's letter to Rich Neal & IDWR dated March 28, 2017

Dear Mr. Honsinger,

Charlie, I can't believe the spin and misdirection in your letter, it makes me dizzy.

First, we were not using the four-mile ditch this year. Regarding the unnamed stream which you have named the "Rock House Springs"; in February with the extreme amount of runoff, we sent our son, JT McCallum, to make sure that the slide gate in the four-mile ditch from the "Rock House Spring" was open. He did, and informed us that it was washed out around to pipe with the slide gate. As you are well aware this point of contact is out on the BLM. Since then someone has closed our pipe with the slide gate, and also put two large rocks in front of the slide gate to slow down the flow, sending water down the four-mile ditch. This ditch can not be used in the winter. The water will freeze and glaciare and when spring comes it will wash out. This is not the first time someone has messed with the four-mile ditch. We had not used the four mile ditch for 4-5 years. However, someone repaired the ditch where the "Rock House Spring" crosses diverting the water down the ditch thru the BLM allotment. We had left this open to Cold Springs Creek. Then two years ago we were repairing the four-mile ditch with our track-hoe. At that time we noticed backhoe tracks where the ditch had been repaired without our consent. One of these repairs was at the location where T-posts and a plastic dam were placed, and the ditch was washed out. We did not make these repairs to the ditch. We haven't had a backhoe on this ditch for over 10 years.

We have seen your people and Harley on this ditch many times. Whoever is repairing this ditch and using it in the winter has caused us considerable damage to our irrigation and stockwater system. The truth of the matter is the only people that the diversion from the "Rock House Spring" thru the BLM would benefit are the Nettleton's and Riggs's as cattle water in their joint allotment, and of course to harass us.

We have previously had people illegally on our land digging and repairing ditches when it was of benefit to them. Remember when the Riggs were stealing water which started on the Blackwells and ran across the end of our property, then diverted to

intersect with their irrigation system instead of being returned to Cold Springs Creek. The adjoining fence south of the ditch on Riggs side had been cut, T-posts removed, and backhoe work had been done to repair the diversion across our property for their benefit. That theft was to the tune of 3+cfs at the beginning of the year and had apparently been going on for years. The water master diverted the illegal Rigg's ditch back to Cold Springs creek.

As you accurately stated Casa Del Norte was not trying to divert water into the four mile ditch. We didn't plan to use the ditch this year because there was too much runoff, we had no cattle in the bull pasture and were not ready to start irrigating. The last thing in the world we would want to do is blow out our own ditch. We intend to start using game cameras to attempt find out who and why this is happening. When we identify the perpetrators we will prosecute to the fullest extent of the law. For humor let's put this "major theft event" into perspective we measured the "Rock House Spring" flow. The weir measurement was 12" x4" or approximately .61 cfs. Looking at the pictures you supplied only about half was flowing down the 4 mile ditch (.344 cfs). This is your major event!

Everyone is flooded and has as more water than they can use. As soon as we received your letter I personally went to the pipe, opened it and removed the rocks that were impeding the water to flow through the pipe. If we been told of the problem when it was seen (as any good neighbor would), we would have been out there the same day. But no, your to busy playing gotcha games.

We did correct this problem we diverted the .61 cfs to our fields. Casa Del Norte does in fact have two water rights to divert said water, which we are now using on the Upper Bench wheel-lines.

Washouts were in abundance this year, dams were washed out. Our main county roadways were washed out in no less that five locations during February and March. The sabotage of the four mile ditch caused some major break outs, and increased the damage to us. The major washout this year was created by Mother Nature.

Regarding your paragraph 4. The large reservoir in the bottom of Ryegrass drainage was constructed by BLM long before we purchased the property. There were no boards in to impound the water, it is grass in the bottom at this time.

As referenced in paragraph 5, the small "pond" on Ross Road, again you have got to be kidding me. We own the land that the county road has easements on and all the land in that area is covered on our irrigation rights. This is measured water within our water rights. I object to you, your client and consultant telling us how we may chose to irrigate. This is not a pond this is the irrigation ditch, which has historically been used in the same manner for at a minimum of 5 decades. It is sub-irrigating about 70 acres

to the south of that structure. Once we shut it off it will empty into the aquifer within a few days. This is the perfect way to irrigate this land. When God gives us a gift of water like this year all the users should be saturating the ground as much as possible to recharge the aquifer for our less than plentiful years.

Finally, as to the assertion that we could be diverting 23cfs with hidden diversions is ridiculous. If we were, it would have to be to a mystical farm that cannot be seen on satellite where we raise unicorns and the tooth fairy lives.

I am also concerned with the recurring nature of your continued harassment. I will also be copying Nick Miller, and Tim Luke of IDWR, also Rich Neal Watermaster with this correspondence to be included in the Water District 6-E files.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Teresa M McCallum", written in a cursive style.

Teresa M McCallum

CC: Tim Luke, Water Resources
Nick Miller, Water Resources
Rich Neal, 61 E Watermaster